

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

NESS DEUTSCHLAND GMBH and NESS  
KE, S.R.O.

*Plaintiffs,*

v.

SOLAR TURBINES INC. and SOLAR  
TURBINES SLOVAKIA S.R.O.

*Defendants.*

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C.A. No. \_\_\_\_\_

**DECLARATION OF MICHELLE EBER IN SUPPORT OF SOLAR TURBINES  
INCORPORATED'S NOTICE OF REMOVAL**

I, Michelle Eber, declare and state as follows:

1. I am an attorney at Baker Botts L.L.P. ("Baker Botts"), counsel for Defendant Solar Turbines Incorporated ("STI"). I have personal knowledge of the facts contained herein and, if called as a witness, I could and would testify competently thereto.
2. Attached hereto as Exhibit 2 is a true and correct copy of a list of shareholders for Ness Deutschland GmbH.
3. Attached hereto as Exhibit 3 is a true and correct copy of a D&B Hoovers report dated June 16, 2021 listing the incorporation information for Ness Deutschland GmbH.
4. Attached hereto as Exhibit 4 is a true and correct copy of a D&B Hoovers report dated June 18, 2021 listing the incorporation information for Ness Technologies (East) B.V.
5. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt of a LinkedIn profile for Ness Technologies (East) B.V., showing its principal place of business in the Netherlands.

6. Attached hereto as Exhibit 6 is a true and correct copy of an extract from the Slovak Business Register for Ness KE, S.R.O.
7. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt of the Pennsylvania Department of State website regarding the incorporation of NESS USA, Inc.
8. Attached hereto as Exhibit 8 is a true and correct copy of an excerpt of a LinkedIn profile for NESS USA, Inc., showing its principal place of business in Pennsylvania.
9. Attached hereto as Exhibit 9 is a true and correct copy of a D&B Hoovers report dated June 18, 2021 showing the incorporation of NESS USA, Inc.
10. Attached hereto as Exhibit 10 is a true and correct copy of an excerpt of the State of Delaware website regarding incorporation of Solar Turbines Incorporated.
11. Attached hereto as Exhibit 11 is a true and correct copy of Solar Turbines Incorporated's certificate of incorporation in the state of Delaware and related paperwork.
12. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt of a Solar Turbines Incorporated website showing its principal place of business in California.
13. Attached hereto as Exhibit 13 is a true and correct copy of a translation of a Commercial Extract from the Slovak Business Register for Solar Turbines Slovakia, S.R.O.
14. Attached hereto as Exhibit 14 is a true and correct copy of an excerpt from the state of Delaware website regarding incorporation of Caterpillar Used Equipment Services Inc.
15. Attached hereto as Exhibit 15 is a true and correct copy of Caterpillar Used Equipment Services Inc.'s certificate of incorporation in the state of Delaware and related paperwork.

16. Attached hereto as Exhibit 16 is a true and correct copy of excerpts of a D&B Hoovers report dated June 23, 2021 showing Caterpillar Used Equipment Services Inc.'s primary place of business in Tennessee.

17. Attached hereto as Exhibit 17 is a true and correct copy of a corporate data sheet for Caterpillar Remanufacturing Drivetrain LLC.

18. Attached hereto as Exhibit 18 is a true and correct copy of the declaration of Marco Leon dated June 18, 2021.

Pursuant to 28 U.S.C. § 1746, I, Michelle Eber, declare under penalty of perjury that the foregoing is true and correct.

Executed in Houston, Texas, on this 23rd day of June, 2021.

/s/ Michelle Eber  
Michelle Eber